

1 WILLIAM R. TAMAYO - #084965 (CA)
2 JONATHAN T. PECK - #12303 (VA)
3 SANYA HILL MAXION - #18739 (WA)
4 EQUAL EMPLOYMENT OPPORTUNITY
5 COMMISSION

6 San Francisco District Office
7 350 The Embarcadero, Suite 500
8 San Francisco, California 94105
9 Telephone: (415) 625-5650
10 Facsimile: (415) 625-5657

11 Attorneys for Plaintiff

12 JAMES T. DIAMOND, JR., #131525 (CA)
13 GOLDFARB & LIPMAN
14 1300 Clay Street, Ninth Floor
15 Oakland, CA 94612
16 Telephone: (510) 836-6336
17 Facsimile: (510) 836-1035

18 Attorneys for Defendant
19 SCHWAN'S CONSUMER BRANDS OF
20 NORTH AMERICA, INC.

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA

23 EQUAL EMPLOYMENT OPPORTUNITY
24 COMMISSION,

25 Plaintiff,

26 v.

27 SCHWAN'S CONSUMER BRANDS OF
28 NORTH AMERICA, INC.

Defendant.

NO. C-05-02161 CRB

STIPULATION FOR DISMISSAL WITH
PREJUDICE AND FOR RETENTION
OF JURISDICTION BY THE COURT
AND ORDER


1 Plaintiff Equal Employment Opportunity Commission and Defendant, Schwan's
 2 Consumer Brands of North America, Inc., ("SCHWAN") and through their undersigned
 3 counsel, hereby stipulate to dismissal with prejudice of all claims against SCHWAN.
 4 There are no remaining issues or parties in this action.

5 Pursuant to Kokkonen v. Guardian Life Ins. Co. of America, 511 U.S. 375, 381-82
 6 (1994) and Flanagan v. Armaiz, 143 F.3d 540, 543-44 (9th Cir. 1998), the parties further
 7 stipulate that this Court shall retain jurisdiction of this action for the purposes of
 8 resolving any disputes that may arise in the future regarding the parties' Settlement
 9 Agreement, attached hereto as Exhibit A to this Stipulation. The parties further agree
 10 that the Court's jurisdiction over this matter shall automatically expire one calendar
 11 year from the date of the execution of the Settlement Agreement.

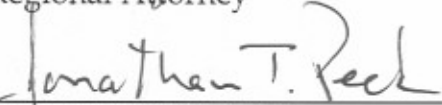
12 This stipulation is based on Rule 41 (a)(1)(ii) of the Federal Rules of Civil
 13 Procedure and has been signed for all parties. The EEOC and Schwan agree to bear
 14 their own attorney fees and costs.


15 On behalf of Plaintiff, EEOC

On behalf of Defendant, Schwan

16 
 17 WILLIAM R. TAMAYO
 18 Regional Attorney


 JAMES T. DIAMOND
 GOLDFARB & LIPMAN

19 
 20 JONATHAN T. PECK
 21 Supervisory Trial Attorney

22 
 23 SANYA HILL MAXION
 24 Senior Trial Attorney

25 APPROVED AND SO ORDERED:

26 DATED: _____

27 U.S. DISTRICT JUDGE CHARLES R. BREYER
 28